3

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

(C.G.)

W.P. No. 724 /2004

PETITIONERS

1. Sarfraz Nawaz Ahmed
Aged about 31 years
S/O Late Shamshuddin
R/O Kotra Road
Vikash Nagar
District Raigarh
(Chhattisgarh)

2. Manmohan Mishra
Aged about 29 years
S/O Late Shri D.D.
Mishra
R/O Chakradharnagar
Bangalpara, Raigarh
(Chhattisgarh)

P.R. No. 7-11-04 Presented by Shri Upadhyay on 04.05.04

VERSUS

RESPONDENTS

1. State of Chhattisgarh
Through the Principal
Secretary Department of
General Administration,
Mantralaya, D.K.S.
Bhawan, Raipur
(Chhattisgarh)

RECEIVED-COPY
Clerk to A.G., Bilaspur

2. The Secretary
School Education
Department, Mantralaya
D.K.S. Bhawan, Raipur
(Chhattisgarh)

3. District Education
Officer, Raigarh

(2) 4

District Raigarh
(Chhattisgarh)

4. The Collector
Raigarh
District Raigarh
(Chhattisgarh)

PETITION UNDER ARTICLES 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF APPROPRIATE WRITS OF MANDAMUS AND CERTIORARI AND FOR OTHER SUITABLE WRITS AND DIRECTIONS:-

38

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No. 724/2004 सन् 200

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

10.05.2004

Shri Sandeep Dubey, counsel for the petitioners.

Shri Sanjay S. Agrawal, Panel Lawyer for the State.

Application for urgent hearing is allowed.

Heard.

Counsel for the petitioners relied on an order dated 01.10.2003 passed by a Division Bench of High Court of Madhya Pradesh in W.P.No.3459/2002 and submits that this case is squarely covered with the said case. The petitioners' fathers died in harness. Taking into consideration the scheme in vogue, the petitioners was appointed as Shiksha Karmi Grade-III. The similarly situated persons approached the State Administrative Tribunal for getting the posts of Assistant Teachers and thereafter the High Court of Madhya Pradesh in which the order dated 01.10.2003 was passed. Counsel for petitioners prays for similar order.

Not opposed.

Having considered the facts and circumstances of the case and material on record, the appointments which were offered to the petitioners were in consonance with the Scheme which was in vogue at the time of appointments. If any other scheme is formed at a later stage of time, the petitioners cannot claim benefit under the said scheme. That apart the petitioners put forth their claim for higher posts. Needless to emphasis that if

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XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.No.724/04 सन् 200

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de	the petitioners eventually qualify under the said scheme, their cases will be considered for the aforesaid posts in accordance with law. With the aforesaid observations, the petition is stands disposed of. Accordingly, M.W.P.No.645/2004 is also stands disposed of. **Sd/-** **Fakhruddin** **Judge**	